

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. DNCW3:09CR100
)	(Financial Litigation Unit)
CHRISTINE GATES,)	
)	
and)	
)	
DISABILITY RECOVERY SERVICES, LLC,)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the Answer of Disability Recovery Services, LLC, as Garnishee. On March 7, 2011, District Judge Frank D. Whitney sentenced Defendant to thirty months incarceration on her conviction for Conspiracy to Defraud the United States and Conspiracy to Commit Money Laundering in violation of 18 U.S.C. §' 371, 1956(h) and 1957. Judgment in the criminal case was filed on March 14, 2011 (Docket No. 18). As part of that Judgment, Defendant was ordered to pay an assessment of \$800 and restitution of \$1,100,512.91 to the victims of the crimes. *Id.*

On August 15, 2012, the Court entered a Writ of Continuing Garnishment ("Writ") (Docket No. 21) to Garnishee, Disability Recovery Services, LLC ("Garnishee"). The United States is entitled to a wage garnishment of up to twenty-five per cent of net income and has satisfied the prerequisites set forth in 15 U.S.C. § 1673. Garnishee was served with the Writ on August 20, 2012. Defendant was served with the Writ on August 29, 2012. Garnishee filed an Answer on August 31, 2012 (Docket No. 25) stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by Defendant, including non-exempt disposable earnings.

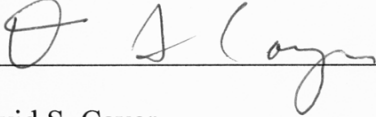
IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$1,099,028.91 computed through August 15, 2012. Garnishee will pay the United States twenty-five per cent of Defendant's net earnings which remain after all deductions required by law have been withheld, and one hundred per cent of all 1099 payments, and Garnishee will continue said payments until the debt to the Plaintiff is paid in full, or until Garnishee no longer has custody, possession or control of any property belonging to Defendant, or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, North Carolina 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:09CR100.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: September 25, 2012



David S. Cayer
United States Magistrate Judge

